

REMARKS

Claims 18-23, 25-33, 35-42, 44, and 45 were previously pending. In the 5/3/2007 Office Action, Claims 18-20, 25, 27, and 29 were rejected under 35 USC 103(a) as being unpatentable over Ogier (US 3,600,740). Claims 21-23, 28, 32-33, 35-39, and 41-42 were rejected under 35 USC 103(a) as being unpatentable over Ogier (US 3,600,740) in view of Michelson et al. (US 6,902,060). Claims 26 and 40 were rejected under 35 USC 103(a) as being unpatentable over Ogier (US 3,600,740) in view of Zatkoff (US 6,581,776). Claims 30-31, and 44-45 were rejected under 35 USC 103(a) as being unpatentable over Ogier (US 3,600,740) in view of Carlson (US 3,359,929).

In this amendment, independent claim 18 has been amended to add additional limitations. In particular, claim 18 has been amended with the following additional limitations: (1) the method is for packing a shipping container with a plurality of implements; (2) each implement comprises a handle attached to a working end; (3) each implement includes substantially a same first length, comprising a distance from a bottom surface of the working end to the second end of the handle; (4) each implement includes a handle-attachment member releasably securable to the second end of the handle; (5) a shipping container is provided; (6) the plurality of implements are disposed, with the handle-attachment members detached from the second end of the handles, within the shipping container so that at least one working end is aligned with at least one of another working end and a second end of another implement.

Claim 18 was rejected under 35 USC 103(a) as being unpatentable over Ogier (US 3,600,740). Ogier (US 3,600,740) does not disclose, teach, suggest, or provide motivation for any of the additional limitations of amended independent claim 18. Rather, Ogier simply discloses a unitary home cleaning system 10 comprising a detached, one-piece, telescoping,

common handle 20 which is attachable to each of a detached broom head 21, a detached mop head 22, and a detached dust mop head 23, and a single carrying case 10 with a handle 14 for carrying around the detached handle 20, and the detached heads 21, 22, and 23. (See Ogier, Col. 1, Lines 73 - Col. 2, Lines 65; and Abstract).

Ogier does not disclose, teach, suggest, or provide motivation for the additional limitations of amended claim 1 requiring:

(1) a method for packing a shipping container with a plurality of implements, wherein each implement comprises a handle attached to a working end. [Ogier only discloses one implement in a carrying case with a handle detached from the working end, and does not disclose a method of packing a shipping container with a plurality of implements each having handles attached to working ends];

(2) each of the implements including substantially a same first length, comprising a distance from a bottom surface of the working end to the second end of the handle [Ogier only discloses one implement, and does not disclose a plurality of implements each having substantially a same first length];

(3) each of the implements including a handle-attachment member releasably securable to the second end of the handle [Ogier only discloses a single implement having a telescopic handle without a releasably securable handle-attachment member, and does not disclose a plurality of implements each having releasably securable handle-attachment members securable to the second ends of the handles]; and

(4) the plurality of implements being disposed, with the handle-attachment members detached from the second ends of the handles and the working ends attached to the handles, within a shipping container so that at least one working end is aligned with at least one of

another working end and a second end of another implement [Ogier only discloses a single implement disposed in a carrying case with a detached working end, a detached handle, and no handle-attachment member, and does not disclose a plurality of implements disposed in a shipping container with the implements having handles attached to working ends, handle-attachment members which are detached from the second ends of the handles, and at least one working end aligned with at least one of another working end and a second end of another implement].

In order to combine references, the teaching or suggestion and the reasonable expectation of success must both be found in the prior art, and not based on Applicant's disclosure. MPEP Sect. 2142-2143; *See also In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). If the proposed modification of the prior art would change the principle of operation of the prior art invention being modified, then the teaching of the reference is not sufficient to render the claims *prima facie* obvious. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959); see also MPEP Sect. 2143.01. Moreover, if the proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984); see also MPEP Sect. 2143.01. As discussed above, because Ogier does not disclose, teach, suggest, or provide motivation for any of the additional limitations, amended independent claim 18 is now believed to be in allowable form.

The currently amended, previously presented, or new Claims 19-24, and 27-44 each depend from amended independent claim 1 and add additional limitations. As such, dependent claims 19-24 and 27-44 are also now believed to be in condition for allowance. Claims 25-26, and 45 have been cancelled.

For the reasons discussed above, Applicant respectfully requests that a timely Notice of Allowance be issued in this case for pending Claims 18-24, and 27-44. The Examiner is invited to contact Applicant's counsel if the Examiner believes that a telephone conference is necessary.

Respectfully submitted,

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